

# Exhibit A

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Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	9
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**Complete if Known**

Application Number	10/738,423
Filing Date	December 16, 2003
First Named Inventor	Ivan C. KING
Art Unit	1633
Examiner Name	Qian Janice LI
Attorney Docket Number	873-Z-US

## U. S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		
	2	JP 2004-500042	04-04-2002	VION PHARMACEUTICALS, INC. et al.	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP §01.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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		First Named Inventor	Ivan C. KING
		Art Unit	1633
		Examiner Name	Qian Janice LI
Sheet 2	of 9	Attorney Docket Number	873-Z-US

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	3	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated May 28, 2002.	
	4	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated November 19, 2002.	
	5	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated May 15, 2003.	
	6	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated February 23, 2004.	
	7	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated September 9, 2004.	
	8	U.S. Advisory Action for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated December 3, 2004.	
	9	U.S. Notice of Allowance for BERMUDES et al., U.S. Serial No. 09/645,415, now Patent No. 6,962,696 (Atty. Dkt. #873-US), Filed August 24, 2000, Dated January 11, 2005.	
	10	U.S. Office Action for PAWELEK et al., U.S. Serial No. 08/486,422 (Atty. Dkt. #869-A-US), Filed June 7, 1995, Dated August 5, 1997.	
	11	U.S. Office Action for PAWELEK et al., U.S. Serial No. 09/358,052 (Atty. Dkt. #869-BA-US), Filed July 21, 1999, Dated April 10, 2000.	
	12	U.S. Office Action for PAWELEK et al., U.S. Serial No. 09/358,052 (Atty. Dkt. #869-BA-US), Filed July 21, 1999, Dated November 17, 2000.	

Examiner Signature	Date Considered
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Attorney Docket Number	873-Z-US

Sheet 3 of 9

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	13	U.S. Office Action for PAWELEK et al., U.S. Serial No. 09/358,052 (Atty. Dkt. #869-BA-US), Filed July 21, 1999, Dated December 18, 2002.	
	14	U.S. Notice of Allowance for PAWELEK et al., U.S. Serial No. 09/358,052 (Atty. Dkt. #869-BA-US), Filed July 21, 1999, Dated June 3, 2003.	
	15	U.S. Office Action for PAWELEK et al., U.S. Serial No. 08/658,034 (Atty. Dkt. #869-B-US), Filed June 4, 1996, Dated February 5, 1997.	
	16	U.S. Office Action for PAWELEK et al., U.S. Serial No. 08/658,034 (Atty. Dkt. #869-B-US), Filed June 4, 1996, Dated October 24, 1997.	
	17	U.S. Office Action for PAWELEK et al., U.S. Serial No. 08/658,034 (Atty. Dkt. #869-B-US), Filed June 4, 1996, Dated July 7, 1998.	
	18	U.S. Office Action for PAWELEK et al., U.S. Serial No. 08/658,034 (Atty. Dkt. #869-B-US), Filed June 4, 1996, Dated January 21, 1999.	
	19	U.S. Notice of Allowance for PAWELEK et al., U.S. Serial No. 08/658,034 (Atty. Dkt. #869-B-US), Filed June 4, 1996, Dated August 4, 1999.	
	20	U.S. Notice of Allowance for BERMUDEZ et al., U.S. Serial No. 09/337,689 (Atty. Dkt. #871-AZ-US), Filed June 22, 1999, Dated December 15, 2000.	
	21	U.S. Office Action for BERMUDEZ et al., U.S. Serial No. 09/337,689 (Atty. Dkt. #871-AZ-US), Filed June 22, 1999, Dated February 27, 2001.	
	22	U.S. Office Action for BERMUDEZ et al., U.S. Serial No. 09/337,689 (Atty. Dkt. #871-AZ-US), Filed June 22, 1999, Dated October 9, 2001.	

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Application Number 10/738,423

Filing Date December 16, 2003

First Named Inventor Ivan C. KING

Art Unit 1633

Examiner Name Qian Janice LI

Attorney Docket Number 873-Z-US

Sheet 4 of 9

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	23	U.S. Notice of Allowance for BERMUDES et al., U.S. Serial No. 09/337,689 (Atty. Dkt. #871-AZ-US), Filed June 22, 1999, Dated March 8, 2002.	
	24	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated March 27, 2000.	
	25	U.S. Supplemental Office Action for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated April 6, 2000.	
	26	U.S. Notice of Allowance for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated September 11, 2000.	
	27	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated May 1, 2001.	
	28	U.S. Office Action for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated November 20, 2001.	
	29	U.S. Notice of Allowance for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated March 15, 2002.	
	30	U.S. Supplemental Notice of Allowance for BERMUDES et al., U.S. Serial No. 09/149,832 (Atty. Dkt. #871-B-US), Filed September 8, 1998, Dated April 19, 2002.	
	31	U.S. Office Action for PAWELEK et al., U.S. Serial No. 10/723,570, Filed Nov. 24, 2003, Dated April 11, 2006 (Atty. Dkt. #869-BAZ-US, Abandoned).	
	32	U.S. Office Action for BERMUDES et al., U.S. Serial No. 08/926,636, Now Patent No. 6080849 (Atty. Dkt. #871-A-US), Filed September 10, 1997, Dated April 29, 1998.	

Examiner  
SignatureDate  
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**Complete if Known****Application Number** 10/738,423**Filing Date** December 16, 2003**First Named Inventor** Ivan C. KING**Art Unit** 1633**Examiner Name** Qian Janice LI**Attorney Docket Number** 873-Z-US

Sheet 5

of 9

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	33	U.S. Notice of Allowance for BERMUDEZ et al., U.S. Serial No. 08/926,636, Now Patent No. 6080849 (Atty. Dkt. #871-A-US), Filed September 10, 1997, Dated February 3, 1999.	
	34	U.S. Supplemental Notice of Allowance for BERMUDEZ et al., U.S. Serial No. 08/926,636, Now Patent No. 6080849 (Atty. Dkt. #871-A-US), Filed September 10, 1997, Dated March 15, 1999.	
	35	Japanese Office Action for YALE UNIVERSITY, Japanese Application No. 09-502263 (Atty. Dkt. #869-C-PCT-JP), Filed December 8, 1997, Dated February 5, 2002.	
	36	Japanese Office Action for YALE UNIVERSITY, Japanese Application No. 09-502263 (Atty. Dkt. #869-C-PCT-JP), Filed December 8, 1997, Dated April 30, 2003.	
	37	Australian Examiner's Report for VION PHARMACEUTICALS, INC., Australian Application No. 69334/00 (Atty. Dkt. #873-PCT-AUS), Filed April 9, 2002, Dated November 1, 2004.	
	38	Australian Examiner's Report for VION PHARMACEUTICALS, INC., Australian Application No. 69334/00 (Atty. Dkt. #873-PCT-AUS), Filed April 9, 2002, Dated June 27, 2005.	
	39	Australian Examiner's Report for VION PHARMACEUTICALS, INC., Australian Application No. 69334/00 (Atty. Dkt. #873-PCT-AUS), Filed April 9, 2002, Dated October 21, 2005.	
	40	Australian Examiner's Report for YALE UNIVERSITY, Australian Application No. 63851/96 (Atty. Dkt. #869-C-PCT-AUS), Filed December 5, 1997, Dated November 3, 1999.	
	41	Australian Examiner's Report for YALE UNIVERSITY, Australian Application No. 63851/96 (Atty. Dkt. #869-C-PCT-AUS), Filed December 5, 1997, Dated October 26, 1998.	
	42	Australian Notice of Acceptance for YALE UNIVERSITY, Australian Application No. 63851/96 (Atty. Dkt. #869-C-PCT-AUS), Filed December 5, 1997, Dated March 23, 2000.	

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	43	Australian Examiner's Report for VION PHARMACEUTICALS, INC., Australian Application No. 93807/98 (Atty. Dkt. #871-AB-PCT-AUS), Filed March 8, 2000, Dated May 1, 2001.	
	44	Australian Examiner's Report for VION PHARMACEUTICALS, INC., Australian Application No. 93807/98 (Atty. Dkt. #871-AB-PCT-AUS), Filed March 8, 2000, Dated April 19, 2002.	
	45	Australian Notice of Acceptance for VION PHARMACEUTICALS, INC., Australian Application No. 93807/98 (Atty. Dkt. #871-AB-PCT-AUS), Filed March 8, 2000, Dated May 24, 2002.	
	46	Brazilian Written Opinion for YALE UNIVERSITY, Brazilian Application No. PI 9609016-2 (Atty. Dkt. #869-C-PCT-BR), Filed December 8, 1997, Dated June 27, 2006.	
	47	Brazilian Written Opinion for YALE UNIVERSITY, Brazilian Application No. PI 9609016-2 (Atty. Dkt. #869-C-PCT-BR), Filed December 8, 1997, Dated September 11, 2007.	
	48	Chinese Office Action for YALE UNIVERSITY, Chinese Application No. 96196140.6 (Atty. Dkt. #869-C-PCT-CN), Filed June 5, 1996, Dated July 28, 2002.	
	49	Chinese Office Action for YALE UNIVERSITY, Chinese Application No. 96196140.6 (Atty. Dkt. #869-C-PCT-CN), Filed June 5, 1996, Dated April 11, 2003.	
	50	Chinese Office Action for VION PHARMACEUTICALS, INC., Chinese Application No. 98811030.X, now Patent No. ZL98811030.X (Atty. Dkt. #871-AB-PCT-CN), Filed September 9, 1998, Dated February 20, 2004.	
	51	European Communication for VION PHARMACEUTICALS, INC., European Application No. 00957765.4 (Atty. Dkt. #873-PCT-EPO), Filed May 3, 2002, Dated August 22, 2007.	
	52	European Communication for YALE UNIVERSITY, European Application No. 96923299.0 (Atty. Dkt. #869-C-PCT-EPO), Filed June 6, 1996, Dated November 19, 2003.	

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	53	European Communication for YALE UNIVERSITY, European Application No.96923299.0 (Atty. Dkt. #869-C-PCT-EPO), Filed June 6, 1996, Dated July 23, 2004.	
	54	European Communication for VION PHARMACEUTICALS, INC., European Application No. 98946891.3 (Atty. Dkt. #871-AB-PCT-EPO), Filed September 9, 1998, Dated December 6, 2004.	
	55	European Search Report for VION PHARMACEUTICALS, INC., European Application No. 98946891.3 (Atty. Dkt. #871-AB-PCT-EPO), Filed September 9, 1998, Dated September 1, 2004.	
	56	European Communication for VION PHARMACEUTICALS, INC., European Application No. 98946891.3 (Atty. Dkt. #871-AB-PCT-EPO), Filed September 9, 1998, Dated April 10, 2007.	
	57	European Communication for VION PHARMACEUTICALS, INC., European Application No. 98946891.3 (Atty. Dkt. #871-AB-PCT-EPO), Filed September 9, 1998, Dated May 13, 2005.	
	58	Israeli Office Action for VION PHARMACEUTICALS, INC., Israeli Application No. 148933 (Atty. Dkt. #873-PCT-IL), Filed March 27, 2002, Dated January 16, 2007.	
	59	Israeli Office Action for VION PHARMACEUTICALS, INC., Israeli Application No. 148933 (Atty. Dkt. #873-PCT-IL), Filed March 27, 2002, Dated June 27, 2007.	
	60	Israeli Office Action for VION PHARMACEUTICALS, INC., Israeli Application No. 134936 (871-AB-PCT-IL), Filed July 3, 2000, Dated January 8, 2006.	
	61	Korean Notice of Decision to Grant for YALE UNIVERSITY, Korean Application No. 10-1997-0709128 (Atty. Dkt. #869-C-PCT-KR), Filed December 8, 1997, Dated February 13, 2004.	
	62	Korean Office Action for VION PHARMACEUTICALS, INC., Korean Application No. 2000-7002535 (Atty. Dkt. #871-AB-PCT-KR, Abandoned), Filed March 10, 2000, Dated February 3, 2005.	

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

**Complete if Known**

<b>Application Number</b>	10/738,423
<b>Filing Date</b>	December 16, 2003
<b>First Named Inventor</b>	Ivan C. KING
<b>Art Unit</b>	1633
<b>Examiner Name</b>	Qian Janice LI
<b>Attorney Docket Number</b>	873-Z-US

Sheet 8

of

9

**OTHER PRIOR ART–NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	63	Mexican Office Action for VION PHARMACEUTICALS, INC., Mexican Application No. PA/2002/003384 (Atty. Dkt. #873-PCT- MX), Filed April 3, 2002, Dated February 3, 2006.	
	64	Mexican Office Action for VION PHARMACEUTICALS, INC., Mexican Application No. 2000/002355 (Atty. Dkt. #871-AB-PCT-MX), Filed March 8, 2000, Dated September 8, 2003.	
	65	New Zealand Office Action for VION PHARMACEUTICALS, INC., New Zealand Application No. 518354 (Atty. Dkt. #873-PCT-NZ), Filed April 12, 2002, Dated August 14, 2003.	
	66	New Zealand Office Action for VION PHARMACEUTICALS, INC., New Zealand Application No. 518354 (Atty. Dkt. #873-PCT-NZ), Filed April 12, 2002, Dated November 26, 2004.	
	67	New Zealand Notice of Acceptance for VION PHARMACEUTICALS, INC., New Zealand Application No. 518354 (Atty. Dkt. #873-PCT-NZ), Filed April 12, 2002, Dated February 11, 2005.	
	68	New Zealand Examiner's Report for YALE UNIVERSITY, New Zealand Application No. 312341 (Atty. Dkt. #869-C-PCT-NZ), Filed December 10, 1997, Dated July 24, 1998.	
	69	New Zealand Examiner's Report for YALE UNIVERSITY, New Zealand Application No. 312341 (Atty. Dkt. #869-C-PCT-NZ), Filed December 10, 1997, Dated March 3, 1999.	
	70	New Zealand Notice of Acceptance for YALE UNIVERSITY, New Zealand Application No. 312341 (Atty. Dkt. #869-C-PCT-NZ), Filed December 10, 1997, Dated April 26, 1999.	
	71	New Zealand Examiner's Report for VION PHARMACEUTICALS, INC., et al., New Zealand Application No. 503376 (Atty. Dkt. #871-AB-PCT-NZ), Filed March 14, 2000, Dated November 9, 2000.	
	72	New Zealand Notice of Acceptance for VION PHARMACEUTICALS, INC., et al., New Zealand Application No. 503376 (Atty. Dkt. #871-AB-PCT-NZ), Filed March 14, 2000, Dated October 3, 2002.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Application Number	10/738,423
		Filing Date	December 16, 2003
		First Named Inventor	Ivan C. KING
		Art Unit	1633
		Examiner Name	Qian Janice LI
Sheet 9	of 9	Attorney Docket Number	873-Z-US

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	73	Chinese Office Action for VION PHARMACEUTICALS, INC., Chinese Application No. 00816714.1 (Atty. Dkt. #873-PCT-CN), Filed August 24, 2000, Dated June 4, 2004.	
	74	Chinese Office Action for VION PHARMACEUTICALS, INC., Chinese Application No. 00816714.1 (Atty. Dkt. #873-PCT-CN), Filed August 24, 2000, Dated March 4, 2005.	
	75	Chinese Decision on Rejection for VION PHARMACEUTICALS, INC., Chinese Application No. 00816714.1 (Atty. Dkt. #873-PCT-CN), Filed August 24, 2000, Dated April 7, 2006.	

Examiner Signature	Date Considered
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